

DOCKET NO.: 259749US6PCT



MAIL STOP PCT
JC03 Rec'd PCT/PTO 2.2 APR 2005

#51

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Jeffrey S. CALLANDER

SERIAL NUMBER: 10/509,946

FILED: October 4, 2004

FOR: ORTHOPAEDIC BENCH TO IMPROVE THE THERAPEUTIC CONDITION OF
THE SPINE AND BACK

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

COMMISSIONER FOR PATENTS
Alexandria, VA 22313

SIR:

Responsive to the notification dated April 15, 2005, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration and a Supplemental Application Data Sheet.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink that reads "Corwin Paul Umbach".

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UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,946	Jeffrey Scott Callander	259749US6PCT
INTERNATIONAL APPLICATION NO.		
PCT/IB03/01175		
LA. FILING DATE	PRIORITY DATE	
03/13/2003	04/03/2002	
CONFIRMATION NO. 4981		
371 FORMALITIES LETTER		
OC000000015741827		

Date Mailed: 04/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/04/2004
- Copy of the International Search Report filed on 10/04/2004
- Copy of IPE Report filed on 10/04/2004
- Copy of Annexes to the IPER filed on 10/04/2004
- Information Disclosure Statements filed on 10/04/2004
- Request for Immediate Examination filed on 10/04/2004
- U.S. Basic National Fees filed on 10/04/2004
- Priority Documents filed on 10/04/2004

RECEIVED: 4/19/05
 OBLON, SPIVAK, McCLELLAND
 MAIER & NEUSTADT, P.C.
 DOCKETING DEPT
 Initials/Date Docketed: WJO/4/19/05
 Type of Resp(s): Asst Dir
 Due Date(s): 04/15/05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,946	PCT/IB03/01175	259749US6PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)

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